

Minutes of the regular monthly meeting of the Jerusalem Town Board held on November 15, 2006 at 7:00 P.M. PRESENT were: Councilpersons Barden, Folts, Hopkins, Stewart, Supervisor Jones, Highway Superintendent Payne, Town Engineer Ackart, Town Clerk McMichael.

Guests: Bill Pringle, Tim Cook, June Hathaway, Barb McGuffie, Janice Christensen, Cynthia Geerston, John Keidel, Susan Comstock, Annette Toaspern.

Supervisor Jones called the meeting to order at 7:00 P.M. with the Pledge to the Flag.

RESOLUTION #187-06

APPROVAL OF MINUTES

On a motion of Councilperson Hopkins, seconded by Councilperson Stewart, the following was

ADOPTED Ayes 5 Barden, Folts, Hopkins, Jones, Stewart
Nays 0

Resolved that the minutes of the October 18, 2006 meeting be approved as read.

RESOLUTION #188-06

APPROVAL OF MINUTES

On a motion of Councilperson Barden, seconded by Councilperson Hopkins, the following was

ADOPTED Ayes 5 Barden, Folts, Hopkins, Jones, Stewart
Nays 0

Resolved that the minutes of the October 25, 2006 Public Hearing on the 2007 Budget be approved as read.

RESOLUTION #189-06

AUDIT OF CLAIMS

On a motion of Councilperson Hopkins, seconded by Councilperson Barden, the following was

ADOPTED Ayes 5 Barden, Folts, Hopkins, Jones, Stewart
Nays 0

Resolved that the bills be paid as presented in the following amounts:

October Utilities:	General	\$ 2,680.18
	Sewer	\$23,580.45
	Water	\$37,356.29

General	\$17,923.63
Highway DA	\$14,032.58
Highway DB	\$24,204.20
Water	\$ 6,431.26

Sewer \$41,387.11

RESOLUTION #190-06
SUPERVISOR'S REPORT

On a motion of Councilperson Folts, seconded by Councilperson Hopkins, the following was

ADOPTED Ayes 5 Barden, Folts, Hopkins, Jones, Stewart
Nays 0

Resolved that the Supervisor's Report on the Town's finances for the month of October 2006 be accepted as presented.

DISCUSSION -AMENDMENT OF THE CERTIFICATE OF INCORPORATION OF THE BRANCHPORT FIRE DEPARTMENT, INC.

Jordan Hopkins provided the background to the Branchport Fire Department's request to the Town Board to amend its Certificate of Incorporation in three principal aspects. One is to reflect the merger with the Keuka Park Fire Department. Secondly, to reflect the territory in which the Fire Department operates that expanded with the merger. And lastly, to include formal legitimacy to the responding by Department members to medical and other emergencies other than fire. The Board of Fire Commissioners of the Branchport-Keuka Park Fire District has approved the Amendment and he requested the Board execute the Consent and Approval.

RESOLUTION #191-06

APPROVAL - CERTIFICATE OF AMENDMENT OF THE CERTIFICATE OF INCORPORATION OF THE BRANCHPORT FIRE DEPARTMENT, INC.

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED BY ROLL CALL VOTE

Councilperson Barden	Aye
Councilperson Folts	Aye
Supervisor Jones	Aye
Councilperson Stewart	Aye
Councilperson Hopkins	Aye

Whereas the Town Board has received from the Branchport Fire Department, Inc. a letter and a Consent form for consideration by this Board; and

Whereas the Department is requesting that a Certificate of Amendment to its Certificate of Incorporation be approved as required by the Not-for-Profit Law; and

Whereas the Board has determined that the proposed Amendments simply reflect the current operating status of the Department as to

its name, purposes, and the territory which it is called upon to protect; and

Whereas the Board has also determined that signing a Consent requested, does not impose any liability on this Board or subject it to any cost or expense; now, therefore, be it

Resolved that after further deliberation this Board authorizes the execution of the Consent submitted by the Branchport Fire Department Inc. as to amendments to its Certificate of Incorporation and that all members of this Board are authorized to sign such Consent.

REPORT OF TOWN OFFICIALS
HIGHWAY SUPERINTENDENT

Highway Superintendent Payne submitted his written report of road work done in the month of October, including ditching, hauling of mixed salt and sand and prep work on sanders and plows for the upcoming season.

RESOLUTION #192-06
AUTHORIZE NOTICE TO BIDDERS FOR NEW/USED ROLLER

On a motion of Councilperson Stewart, seconded by Councilperson Folts, the following was

ADOPTED	Ayes	5	Barden, Folts, Jones, Hopkins, Stewart
	Nays	0	

Whereas the purchase of a new or used roller for the Highway Department is included in the 2007 budget; and

Whereas the Town Board desires to award the purchase at the January 3, 2007 Organizational Meeting; now, therefore, be it

Resolved that the Highway Superintendent be authorized to advertise for bids on said roller.

TOWN ENGINEER

- The monthly report of the Town Engineer is on file in the Office of the Town Clerk.
- The #1 pump breaker at the Indian Pines Pump Station had to be replaced. We were able to realize a substantial savings because it was installed by Water Maintainer Dinehart.
- We will be discussing the Water Treatment Plant pumping schedule with the Village due to unusual flows we have been experiencing.
- Keuka College has agreed to test and calibrate all the College water meters. This will be done during their winter recess in mid-December.

COUNCIL

- Councilperson Barden reported the Village of Penn Yan approved a resolution authorizing the adoption of the Keuka Lake Uniform Docking & Mooring local law. Now that all eight municipalities have adopted the proposed law, it has to be approved by the New York State Department of Parks, Recreation and Historic Preservation prior to filing it with the Department of State.
- Councilperson Folts stated the Zoning Board heard three area variances. Two applications were denied. One was due to the closeness to the high water mark and the other due to closeness to the highway right-of-way. The application for 825 East Bluff Drive is under legal review by the Town Attorney and may require a highway encroachment agreement.
- Councilperson Stewart commended Neil Simmons and the Planning Board Subcommittee for arranging the wind farm tour. The visit was very informative and cleared up a lot of misconceptions. The Subcommittee will be meeting November 20. Public information sessions will be scheduled at a future date. Keuka College will provide accommodations to the Town at no charge.

RECREATION PROGRAM

- Councilperson Stewart stated Bev Eggleston, Program Director submitted her written report to the Town Board outlining the Summer Recreation Program and their various activities. 105 children enrolled with an average daily attendance of 60-70. A written guideline for age requirement will be put in place for next year.
- The men's basketball program starts tonight. A sign-in sheet is kept for attendance records.

BED & BREAKFAST DEFINITION

Annette Toaspern presented the Town Board with another proposed Bed & Breakfast definition for their consideration, along with an excerpt from "So You Want to Be an Innkeeper" (Original proposed B&B definition denied under Resolution #131-06).

RESOLUTION #193-06

TRANSFER OF HIGHWAY FUNDS - ROLLER RENTAL

On a motion of Councilperson Hopkins, seconded by Councilperson Barden, the following was

ADOPTED	Ayes	5	Barden, Folts, Hopkins, Jones, Stewart
	Nays	0	

Whereas, the budget for 2006 shows the monies appropriated toward the rental of a roller through Admar within the Highway DA fund; and

Whereas, the monies where actually expensed out of the Highway DB fund; now, therefore, be it

Resolved that the Town Board authorizes the transfer of \$5,760.00 to be transferred out of the Highway DA Fund and moved back into the Highway DB fund.

RESOLUTION #194-06

TRANSFER OF HIGHWAY FUNDS - FLINT CREEK PROJECT

On a motion of Councilperson Stewart, seconded by Councilperson Barden, the following was

ADOPTED	Ayes	5	Barden, Folts, Hopkins, Jones, Stewart
	Nays	0	

Whereas the Flint Creek Project has been completed and the proper paperwork has been submitted to the Yates County Soil and Water for reimbursement; now, therefore, be it

Resolved that the Highway DB 2006 budget be amended to reflect the monies to be reimbursed from Yates County Soil and Water. The Town Board authorizes the following amendment:

Revenue 2770 be increased by \$41,673.10

Expense 5110.4 be increased by \$41,673.10

RESOLUTION #195-06

RESOLUTION ESTABLISHING TOWN POLICY - NOTIFICATION OF PROPERTY OWNERS

On a motion of Councilperson Hopkins, seconded by Councilperson Folts, the following was

ADOPTED	Ayes	5	Barden, Folts, Hopkins, Jones, Stewart
	Nays	0	

Whereas, the Town of Jerusalem has to date, adhered to all the New York State Laws regulating public notification of Town residents on all zoning issues under consideration, either amendment to Zoning Code verbiage or the creation of a new Zoning District; and

Whereas, recent issues involving a zoning change under consideration in a specific area have made the Town Board desirous of assuring that individual notification be made to both involved and adjacent property owners; now, therefore, be it

Resolved that the Town of Jerusalem hereby establishes a Town Policy that whenever a Zoning District Creation or a Zoning Code Verbiage Amendment are for a specified area (NOT TOWN WIDE IN SCOPE) that individual notification be made in letter form and sent by regular mail to all property owners within the confines of that

area, and additionally all property owners located within 500 feet of the affected area.

YATES COUNTY AGRICULTURAL DISTRICT REVIEW

Supervisor Jones stated the eight-year district review process for the Yates County Agricultural District has been initiated by the Yates County Legislature. The thirty-day comment period started November 1, 2006. Municipalities and land owners within the district may propose a modification of the district by filing such proposal with the Clerk of the County Legislature. The notice is posted on the Town Hall bulletin board. The County Legislature will conduct a public hearing in the manner prescribed by NYS Agricultural District Law.

RESOLUTION #196-06

APPROVAL - AUDIT PROPOSAL

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED	Ayes	5	Barden, Folts, Hopkins, Jones, Stewart
	Nays	0	

Whereas, Raymond F. Wager, CPA, P.C. has submitted a quote for accounting services in regard to the audit of the financial statements of all the various funds of the Town for the year ended December 31, 2006; and

Whereas, review of the terms are deemed acceptable; now, therefore be it

Resolved that the Supervisor be authorized to sign the quote for services.

RESOLUTION #197-06

KWIC QUALITY COMMUNITIES PROGRAM GRANT APPLICATION

On a motion of Councilperson Stewart, seconded by Councilperson Barden, the following was

ADOPTED	Ayes	5	Barden, Folts, Hopkins, Jones, Stewart
	Nays	0	

WHEREAS, the New York State Quality Communities grant program is available for projects to encourage the formation of partnerships to address environmental, land use and economic development opportunities; and

WHEREAS, the Keuka Lake Association (KLA) and the eight municipalities of the Keuka Watershed Improvement Cooperative (KWIC) have worked in partnership to protect Keuka Lake for nearly 15 years; and

WHEREAS, the KLA and KWIC have identified the need to address land use issues in the watershed; and

WHEREAS, the Town of Jerusalem, working in an intermunicipal fashion with Yates County, the KLA and KWIC, sees the need to prepare an Intermunicipal Land Use Action Plan for Keuka Lake; and

WHEREAS, the Town of Jerusalem is a local unit of government that will afford the citizens/members an opportunity to comment and provide input in the Plan;

NOW, THEREFORE, Be It Resolved, by the Board of the Town of Jerusalem that we support the development of the *Keuka Lake Looking Ahead: An Intermunicipal Land Use Action Plan* as part of the New York State Quality Communities grant program.

RESOLUTION #198-06

TOWN BOARD MEETING DATES

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED	Ayes	4	Folts, Hopkins, Jones, Stewart
	Nays	0	
	Abstain	1	Barden

Whereas the December Town Board Meeting originally scheduled for December 20, 2006 is felt to be very close to the impending Holidays, and that the meeting date be moved forward to December 13, 2006 at 7:00 P.M.; and

Whereas it is necessary to schedule an Organizational Meeting for 2007; now, therefore, be it

Resolved that the Jerusalem Town Board schedule be changed to reflect December 13, 2006 at 7:00 P.M. as a regular meeting and the Organizational Meeting of the New Year be scheduled for January 3, 2007 at 7:00 P.M.

RESOLUTION #199-06

APPROVAL - DONATE HISTORIAN DISPLAY CASE

On a motion of Councilperson Hopkins, seconded by Councilperson Folts, the following was

ADOPTED	Ayes	5	Barden, Folts, Hopkins, Jones, Stewart
	Nays	0	

Whereas the Town Board is in receipt of correspondence from Town Historian Jane Davis with regard to the Historian's display case in the Town Hall purchased in the 1980's from a local yard sale; and

Whereas the Historian has framed and hung various historical materials in the Town Hall and no longer utilizes the display case; and

Whereas the Historian purchased a bookcase to house local history volumes as it is a more convenient and useful storage unit; now, therefore be it

Resolved that the Town of Jerusalem donate the display case formerly used by the Town Historian to the Town of Italy as they have no display area available for their exhibits.

With there being no further business, on a motion of Councilperson Hopkins, seconded by Councilperson Barden, the meeting was adjourned at 7:52 P.M.

Sheila McMichael, Town Clerk